

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DERRICK ALLEN,)
)
 Plaintiff,)
)
 v.) 1:21CV339
)
 OLIVE GARDEN, U.S.A., et al.,)
)
)
 Defendants.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on May 4, 2021, was served on the parties in this action. (Text Order and Recommendation dated May 4, 2021; Doc. 4.) Plaintiff objected to the Recommendation. (Doc. 5.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objections were made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B) as frivolous and for failing to state a claim upon which relief may be granted.

/s/ Thomas D. Schroeder
United States District Judge

May 12, 2021